

Ian N. Feinberg (SBN 88324)
Lee H. Rubin (SBN 141331)
Shirish Gupta (SBN 205584)
MAYER, BROWN, ROWE & MAW LLP
Two Palo Alto Square, Suite 300
Palo Alto, CA 94306-2112
Telephone: (650) 331-2000
Facsimile: (650) 331-2060
infeinberg@mayerbrownrowe.com
lrubin@mayerbrownrowe.com
sgupta@mayerbrownrowe.com

Attorneys for Defendants
DON LISTWIN, JOSHUA PACE,
STEVEN PETERS, DAVE PETERSCHMIDT,
ALLEN SNYDER, SIMON WILKINSON

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA -SAN FRANCISCO DIVISION

MANFRED HACKER,

CASE NO. 06-CV-03468 MEJ

Plaintiff.

**STIPULATED JOINDER OF STEVEN
PETERS AND [PROPOSED] ORDER RE
FILING AMENDED COMPLAINT**

DAVID PETERSCHMIDT, DONALD
LISTWIN, JOSHUA PACE, STEVEN PETERS,
AL SNYDER, SIMON WILKINSON,
KENNETH DENMAN, BO HEDFORS,
GERALD HELD, MASOOD JABBAR,
BERNARD PUCKETT.

Defendants.

-and-

OPENWAVE SYSTEMS, INC.

Nominal Defendant.

STIPULATED JOINDER

WHEREAS, on June 20, 2006, several Defendants, nominal Defendant Openwave Systems, Inc. and Plaintiff filed a Stipulation and Proposed Order re the Filing of an Amended Complaint;

WHEREAS, Defendant Steven Peters was not a party to that Stipulation;

WHEREAS, on June 21, 2006, the Court entered an Order adopting the Stipulation and Proposed Order;

WHEREAS, by his undersigned counsel, Defendant Steven Peters accepts service of the Complaint and seeks to join the now-entered Stipulation and Order;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, subject to approval of the Court:

A. Defendant Steven Peters joins the Stipulation and Order entered by the Court on June 21, 2006 and shall be deemed a party to that Stipulation and Order.

Dated: June 21, 2006

By: /s/ Shirish Gupta
Shirish Gupta

MAYER, BROWN, ROWE & MAW LLP

Attorneys for Defendants Don Listwin,
Joshua Pace, Steven Peters, Dave
Peterschmidt, Allen Snyder, Simon
Wilkinson

Dated: June 21, 2006

By: /s/ Amy S. Park
Amy S. Park (208204)

SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
300 South Grand Avenue, Suite 3400
Los Angeles, CA 90071-3144

1 Garrett J. Waltzer (130764)
2 SKADDEN, ARPS, SLATE,
3 MEAGHER & FLOM LLP
4 525 University Avenue, Suite 1100
Palo Alto, CA 94301

5 Attorneys for Defendants Kenneth
6 Denman, Bo Hedfors, Masood Jabbar
and Bernard Puckett

7 Dated: June 21, 2006

8 By: /s/ Jeffrey K. Li
Jeffrey K. Li (186305)

9 OPENWAVE SYSTEMS, INC.
10 2100 Seaport Boulevard
Redwood City, CA 94063

11 Attorney for Defendant Openwave
12 Systems, Inc.

13 Dated: June 21, 2006

14 By: /s/ Arthur L. Shingler III
Arthur L. Shingler III (181719)

15 SCOTT + SCOTT, LLC
16 600 B Street, Suite 1500
17 San Diego, CA 92101

18 Attorney for Plaintiff

19 **ECF CERTIFICATION**

20 I, Shirish Gupta, am the ECF User whose identification and password are being used to
21 file this Stipulated Joinder and [Proposed] Order Re Filing Amended Complaint. In compliance
22 with General Order 45.X.B, I hereby attest that the signatories listed above have concurred in this
23 filing.

24 Dated: June 21, 2006

MAYER, BROWN, ROWE & MAW LLP

25 By: /s/ Shirish Gupta
Shirish Gupta

1 **[PROPOSED] ORDER**

2 Upon Stipulated Joinder, and good cause appearing, it is HEREBY ORDERED THAT:
3
4 A. The Stipulated Joinder of Defendant Steven Peters is hereby GRANTED.
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6 B. Defendant Steven Peters shall be deemed a party to the Stipulation and Order
7 entered by the Court on June 21, 2006.

8 **IT IS SO ORDERED.**

9 Dated: _____
10 June 22, 2006



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